

Senator Patton moved the previous question on the engrossment of the bill.

Motion seconded and main question ordered.

Bill ordered engrossed by the following vote:

YEAS—20.

Brown,	Lair,	Ross,
Buchanan,	Lightfoot,	Stubbs,
Gooch,	McLane,	Swain,
Harris,	McDonald,	Terrell,
Henderson,	Moore,	Tilson,
Hightower,	Patton,	Wynne.
Homan,	Rainey,	

NAYS—7.

Burges,	Davis,	Martin,
Burton,	Duncan,	Shannon.
Davenport,		

On motion of Senator Terrell, rules were suspended to place bill on its third reading, by the following vote:

YEAS—24.

Brown,	Homan,	Rainey,
Buchanan,	Lair,	Ross,
Burges,	Lightfoot,	Shannon,
Burton,	Martin,	Stubbs,
Gooch,	McLane,	Swain,
Harris,	McDonald,	Terrell,
Henderson,	Moore,	Tilson,
Hightower,	Patton,	Wynne.

NAYS—8.

Davenport,	Davis,	Duncan.
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Senator Duncan offered the following amendment: Amend substitute, line 1, page 2, strike out "available" and insert after the word "fund," in same line, the words "the interest on said amount of \$134,472.26 from the date of bond to the adoption of the Constitution of 1876, to be transferred to the credit of permanent University fund."

Message was received from the House announcing the passage by that body of House bill No. 25, "An act to repeal an act entitled 'an act granting to persons who have been permanently disabled by reason of wounds received while in the service of this, or of the Confederate States, in the late war between the States of the United States, a land certificate for twelve hundred and eighty acres of land,' approved April 7, 1881."

Also, that the House refuses to concur in Senate amendment to House bill No. 43, "An act to repeal all laws granting land or land certificates to any person, firm, corporation or company for the construction of railroads, canals and ditches."

Senator Duncan moved a division of the question.

Senator Homan moved the previous question on the amendment.

Motion seconded and main question ordered.

First division: strike out the word "available," line 1, page 2. Lost by the following vote:

YEAS—11.

Burges,	Duncan,	Martin,
Burton,	Harris,	Rainey,
Davenport,	Lair,	Swain.
Davis,	Lightfoot,	

NAYS—17.

Brown,	McLane,	Stubbs,
Buchanan,	McDonald,	Terrell,
Gooch,	Moore,	Tilson,
Henderson,	Patton,	Weatherred,
Hightower,	Ross,	Wynne.
Homan,	Shannon,	

Second division: Insert "interest of \$134,472.26 from date of bond to date of adoption of the Constitution of 1876 to be transferred to the credit of the permanent University fund." Lost by the following vote:

YEAS—8.

Burges,	Davis,	Lair,
Burton,	Duncan,	Martin.
Davenport,	Harris,	

NAYS—20.

Brown,	McLane,	Stubbs,
Buchanan,	McDonald,	Swain,
Gooch,	Moore,	Terrell,
Henderson,	Patton,	Tilson,
Hightower,	Rainey,	Weatherred,
Homan,	Ross,	Wynne.
Lightfoot,	Shannon,	

Senator Terrell moved the previous question on the passage of the bill. Motion seconded and main question ordered. Bill passed by the following vote:

YEAS—21.

Brown,	Lair,	Ross,
Buchanan,	Lightfoot,	Stubbs,
Gooch,	McLane,	Swain,
Harris,	McDonald,	Terrell,
Henderson,	Moore,	Tilson,
Hightower,	Patton,	Weatherred.
Homan,	Rainey,	Wynne.

NAYS—7.

Burges,	Davis,	Martin,
Burton,	Duncan,	Shannon
Davenport,		

Senator Homan, for Committee on Enrolled Bills, by leave, submitted the following report:

COMMITTEE ROOM,
AUSTIN, April 14, 1882.

Hon. L. J. Storey, President of the Senate:

Your Committee on Enrolled Bills, having carefully examined and compared Senate bill No. 5, "An act to amend article 4250 of the Revised Statutes of the State of Texas," find the same correctly enrolled and properly signed, and have this day, at 10 o'clock a. m., presented the same to the Governor for his approval.

HOMAN, for Committee.

On motion of Senator Davenport, Senator Moore was excused till Tuesday morning.

Senator Terrell presented a petition of N. N. Gammel and H. P. N. Gammel asking for an appropriation of \$80, for having saved, at considerable labor and expense, 800 volumes of Revised Statutes and other law books out of the ruins of the burnt capitol. Referred to Committee on State Affairs.

On motion of Senator Homan, Senate adjourned till 9:30 a. m. to-morrow.

NINTH DAY.

SENATE CHAMBER,
AUSTIN, TEXAS, April 15, 1882. }

Senate met pursuant to adjournment.

The President in the chair.

Roll called; quorum present.

Prayer by the Chaplain.

On motion of Senator McLane, reading of the minutes of yesterday's proceedings was dispensed with.

Senator McLane presented a petition from the citizens of Webb county, asking that a new judicial district be made, said district to be composed of the counties of Webb, Zapata, Encinal, La Salle, Dimmit, Zavalla and Maverick, and that the civil and criminal jurisdiction of Webb county be abolished, and that said jurisdiction be transferred to the District Court of said county, and that the District Court of Webb county be given four terms a year, of not less than four weeks of each term. Referred to Committee on Judicial Districts.

Senator Ross, chairman of Finance Committee, submitted the following report:

COMMITTEE ROOM,
AUSTIN, April 14, 1882.

Hon. L. J. Storey, President of the Senate:

Your Committee on Finance, to whom was referred Senate bill No. 26, entitled "An act to provide for the destruction of certain engraved bonds of the State, engraved under an act approved April

4, 1879, and which were never used," have had the same under consideration, and have instructed me to report back the bill with the accompanying amendments, and, as amended, to recommend its passage.

Ross, Chairman.

Bill read first time, with amendments.

On motion of Senator Stubbs, Senator Homan was excused after the morning session to noon Monday.

Senator Ross offered the following resolution:

Resolved, That the Committee on Finance be allowed a clerk, to be appointed by the chairman thereof, the appointment to date from the commencement of the service of the present acting clerk.

Adopted.

The President laid before the Senate the substitute for Senate bills Nos. 20 and 22, "An act to set apart and appropriate two million acres of land, for the benefit of the University of Texas, out of the reservations made by the act of July 14, 1879, and to provide for the survey, location and sale of the same," being the special order for this hour.

Senator Terrell moved to suspend temporarily special order to take up Senate bill No. 28, entitled "An act to amend the third, tenth and eleventh sections of an act entitled 'an act to provide for the sale of the unappropriated public lands of the State of Texas, and the investment of the proceeds of such sale,' approved July 14, 1879, and to add an additional section to said act." Adopted and bill taken up.

The pending amendment of Senator Lightfoot was lost.

Senator Hightower offered the following amendment: Amend section 3 by inserting between the words "thereof" and "and" the following: "nor shall he make any survey of said lands under said act upon any application made therefor after the passage of this act." Adopted.

Senator Stubbs offered the following amendment: Amend caption by inserting after the words "July 14, 1879," "and the act amendatory of sections 1 and 6 of said act, approved March 11, 1881," and insert the same words in the body of the bill on page 1, after the words "July 14, 1879" and wherever the original act is specially referred to. Adopted.

Senator Duncan offered the following amendment: Amend by striking out that part of the act appropriating proceeds of sales to University fund. Being in substance the same as that offered by Senator Ross on Thursday. Adopted.

Senator Tilson offered the following amendment: "Amend section 11 by inserting in the blank line in thirty, after the word "of," the words \$3,000."

Senator Gooch moved to amend by substituting \$5,000 for \$3,000. Accepted, and amendment, as amended, adopted.

Senator Davis offered the following amendment: Amend section 3 so as to read:

All applications for surveys heretofore made not in good faith or by irresponsible persons, shall be null and void, and all persons who have heretofore made application for such surveys under the act to which this is amendatory, shall manifest their good faith and responsibility by depositing in the treasury one-half of the purchase money within thirty days from the date of this act, and the remainder within sixty days from said date.

Lost.

The substitute was then lost and the bill ordered engrossed.

On motion of Senator Terrell, rules were suspended to put bill on its third reading by the following vote:

YEAS—28.

Brown,	Henderson,	Ross,
Buchanan,	Hightower,	Shannon,
Burges,	Lair,	Stubbs,
Burton,	Lightfoot,	Swain,
Davenport,	Martin,	Terrell,
Davis,	McLane,	Tilson,

Duncan,	McDonald,	Weatherred,
Gooch,	Patton,	Wynne.
Harris,	Rainey.	

NAYS—none.

Bill read third time and passed by the following vote:

YEAS—24.

Brown,	Hightower,	Ross,
Buchanan,	Lair,	Shannon,
Burges,	Lightfoot,	Stubbs,
Burton,	Martin,	Swain,
Davenport,	McLane,	Terrell,
Duncan,	McDonald,	Tilson,
Gooch,	Patton,	Weatherred,
Henderson,	Rainey,	Wynne.

NAYS—2.

Davis, Harris.

Senator Patton, chairman of Committee on Engrossed Bills, by leave, submitted the following report:

COMMITTEE ROOM,
AUSTIN, April 15, 1882. }

Hon. J. L. Storey, President of the Senate:

Your Committee on Engrossed Bills having carefully examined Senate bill No. 6, instruct me to report the same as properly engrossed.

PATTON, Chairman.

Substitute for Senate bills Nos. 20 and 22, entitled "An act to set apart and appropriate two million acres of land for the benefit of the University of Texas out of the reservations made by the act of July 14, 1879, and to provide for the survey, location and sale of the same," being the special order postponed this morning, was taken up and read second time.

Senator Duncan offered the following substitute:

A bill to be entitled "An act to set apart and appropriate one million acres of land for the benefit of the University of Texas and the public free schools, and to repeal an act entitled 'an act to provide for the sale of a portion of the unappropriated public lands of the State of Texas and the investment of the proceeds of such sale,' approved July 14, A. D. 1879, and the act amendatory thereof, approved March 11, 1881."

SECTION 1. *Be it enacted by the Legislature of the State of Texas*, That there is hereby set apart and appropriated for the endowment of the University of Texas, and for the benefit of the public free schools, in equal portions, one million acres of the public domain out of that part of the appropriation, or reservation, made by the act of July 14, 1879, entitled "An act to provide for the sale of a portion of the unappropriated public lands of the State of Texas and the investment of the proceeds of such sale," and an act amendatory thereof, approved March 11, 1881, situated in the counties of Hockley and Yoakum, and all the public land in said counties heretofore reserved and set apart by the said acts, is hereby set apart and appropriated for the purpose of satisfying the foregoing grant.

Sec. 2. The one-half million acres of land hereby donated to the University fund, shall be surveyed in the manner provided for the survey of University lands by the Revised Statutes, articles 4025 to 4030, inclusive, so far as the same are applicable; and the expenses of such surveys and location, shall be paid out of the University fund, as therein indicated.

Sec. 3. The one-half million acres of land hereby set apart and appropriated for the public free school fund, be surveyed and disposed of for the benefit of said fund in such manner as shall hereafter be provided by law.

Sec. 4. The act of July 14, 1879, entitled "An act to provide for the sale of a portion of the unappropriated public lands of the State of Texas, and the investment of the proceeds of such sale," and an act amendatory thereof, approved March 11, 1881, are hereby repealed, and the reservation of lands made by said acts, except as to the counties above mentioned, are hereby annulled, and the lands within them made subject to location of any valid land certificate.

(Senator Lightfoot in the chair.)

President referred House bill 25, "An act to repeal an act entitled 'an act granting to persons who have been permanently disabled by reason of wounds received while in the service of this, or of the Confederate States, in the late war between the States of the United States, a land certificate for twelve hundred and eighty acres of land,' approved April 7, 1881," to Committee on Public Lands.

(President Storey in the chair.)

Pending a speech of Senator Davis, on motion of Senator Lair, Senate adjourned till 9:30 a. m. Monday morning, with the understanding that at that time Senator Davis shall be entitled to the floor to resume his argument.

TENTH DAY.

SENATE CHAMBER,
AUSTIN, April 17, 1882. }

Senate met pursuant to adjournment.

The President in the chair.

Roll called; quorum present.

Prayer by the Chaplain, Dr. Smoot.

On motion of Senator Burges, the reading of the journal of Saturday was dispensed with.

Senator Shannon introduced a bill entitled "An act to prohibit railroad companies, their agents and employees, from making overcharges for carrying freight, and to provide penalties therefor." Referred to Committee on Internal Improvements.

Senator Browne introduced a bill entitled "An act to divide the State of Texas into eleven congressional districts, and to provide for the election of one member of Congress from each of the said congressional districts to the Congress of the United States." Referred to the Committee on Congressional Districts.

Pending the substitute of Senator Duncan, entitled "An act to set apart and appropriate one million acres of land for the benefit of the University of Texas and the public free schools, and to repeal an act entitled 'an act to provide for the sale of a portion of the unappropriated public lands of the State of Texas and the investment of the proceeds of such sale,' approved July 14, 1879, and the act amendatory thereof, approved March 11, 1881," being the substitute pending on adjournment, on Saturday, was taken up, Senator Davis in possession of the floor.

Senator Gooch, by permission, offered the following amendment to pending bill: Add a section next before the last one, and number it and the next section in order, said section inserted to read as follows:

Sec — For every acre set apart or surveyed for the University, an equal quantity shall be set apart and surveyed in the same mode for the public free schools, and each fund shall pay its equal proportion for locating and surveying.

Senator Davis proceeded with his argument.

(Senator Martin in the chair.)

Senator Patton offered the following amendment to the amendment of Senator Gooch:

Amend the amendment by inserting between "University" and "an," where they occur in the amendment, "and for three hundred leagues set apart for the unorganized counties and surveyed or to be surveyed."

Senator Buchanan offered the following substitute for the amendments of Senators Gooch and Patton: Add to section one the following:

Provided, That the 300 leagues set apart for unorganized counties by act of March 26, 1881, entitled "An act to provide for designating and setting apart 300 leagues of land out of the unappropriated public domain for the benefit of the unorganized counties of the State, and to provide for the survey and location of the same," shall be first surveyed; and provided further, that a like amount of two millions of acres is hereby set apart out of said reservation for the endowment, support and maintenance of the public free schools of the State.

Senator Patton, by leave, submitted the following report:

COMMITTEE ROOM,
AUSTIN, April 17, 1882. }

Hon. L. J. Storey, President of the Senate:

Your Committee on Engrossed Bills have examined Senate bill No. 28 "An act to amend the third, ninth, tenth and eleventh sections of an act entitled 'an act to provide for the sale of a portion of the unappropriated public lands of the State of Texas, and the invest-

ment of the proceeds of such sale,' approved July 14, 1879, and the act amendatory of sections one and six of said act, approved March 11, 1881, and to add an additional section to said act," and find the same correctly engrossed.

PATTON, Chairman.

Senator Duncan moved to excuse Senator Lair for the day, on account of sickness. Adopted.

Senator Davenport moved to refer the pending bill, substitute and amendments to Committee on Public Lands. Lost by the following vote:

YEAS—12.

Burton,
Davenport,
Davis,
Duncan,

Harris,
Lightfoot,
Martin,
McLane,

Rainey,
Ross,
Shannon,
Tilson.

NAYS—12.

Brown,
Buchanan,
Gooch,
Henderson,

Hightower,
McDonald,
Patton,
Stubbs,

Swain,
Terrell,
Weatherred,
Wynne.

(The President in the chair.)

The pending substitute of Senator Buchanan coming up, Senator Gooch rose to a point of order that the substitute was not in order because it was a substitute for an amendment to the pending bill and an amendment to said amendment. The President decided the point of order well taken.

The question being on the amendment of Senator Patton, on motion of Senator Stubbs, the Senate adjourned to 9:30 a. m. to-morrow, the amendment of Senator Patton pending.

ELEVENTH DAY.

SENATE CHAMBER,
AUSTIN, TEXAS, April 18, 1882. }

Senate met pursuant to adjournment.

The President in the chair.

Roll called; quorum present.

Prayer by Rev. Mr. Brown, Chaplain of the House.

On motion of Senator Rainey, the reading of the journal of yesterday was dispensed with.

On motion of Senator Martin, Senator Stewart was excused indefinitely.

Senator Burges, by request, presented a memorial from the citizens of Texas, asking an appropriation by the Legislature for the benefit of certain citizens, survivors of the Dawson massacre; also a widow of one of the deceased survivors. Referred to Committee on Private Land Claims.

Senator Gooch presented the following invitation from the citizens and firemen of Palestine:

PALESTINE TEXAS, April 14, 1882.

Hon. J. Young Gooch, Senator:

DEAR SIR—The citizens and firemen of the city of Palestine, appointed to make due preparation for the celebration of San Jacinto day, have directed me to extend to you, and through you to the Senate of the State of Texas, an invitation to be present with us and join in the festivities of that occasion. A special train will leave the International depot, Palestine, at eight o'clock a. m., on Friday, the twenty-first instant, and will proceed to Long Lake, where appropriate exercises will take place in honor of the day, and where, should the Senate accept the invitation thus tendered, the people of this portion of your senatorial district will be proud to extend to yourself and colleagues a hearty welcome.

By order of the committee of arrangements.

JOHN M. LINK, Chairman,
JAMES HAND, Secretary,
J. F. PELLIS, Treasurer,
C. A. STERNE,
THOS. HALL,
ED. DILLEY,
C. W. KOUNS,
B. W. HOWARD,
THOS. RICHARD,
MARTIN HINZIE.